

OP-5P



DEPARTMENT OF THE ARMY

MOBILE DISTRICT, CORPS OF ENGINEERS

P.O. BOX 2288

MOBILE, ALABAMA 36628-0001

REPLY TO
ATTENTION OF:

CESAM-OP-S
PUBLIC NOTICE NO. AL01-02982-H

14 September 2001

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS
AND
STATE OF ALABAMA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

PROPOSED FILLING OF WETLANDS IN CONJUNCTION WITH A COMMERCIAL
DEVELOPMENT, HOOVER, JEFFERSON COUNTY, ALABAMA

TO WHOM IT MAY CONCERN:

This District has received an application for a Department of the Army permit pursuant to Section 10 of the River and Harbor Act of 1899 (33 USC 403), and Section 404 of the Clean Water Act (33 USC 1344). Please communicate this information to interested parties.

APPLICANT: AIG Baker Hoover, L.L.C.
Attn: Mr. Philip McAfee
1701 Lee Branch Lane
Birmingham, Alabama 35242

WATERWAY: Tributary of Patton Creek, Sections 14 & 23, Township 19 south, Range 3 west, Hoover, Jefferson County, Alabama.

WORK: The applicant proposes to place fill in approximately 1.34 acres of wetlands and waters of the U.S. in conjunction with the construction of a large mixed use commercial retail shopping center, on approximately 80 acres, including 10.59 acres of wetlands and waters of the U.S. In addition, 2.35 acres of wetlands and waters of the U.S. will be impacted (0.48 acre by the stormwater treatment ponds and 1.87 acres by the mitigation site). All of the 2.35 acres will remain waters of the U.S. The remaining 6.90 acres in the project area will be avoided by the project. No fill material will be placed in Patton Creek. The purpose of the project is to develop a large mixed-use, but primarily commercial retail center to accommodate the large demand for retail space generally in Birmingham metro and Hoover area. The project will provide numerous jobs, increase services and goods available for this area and increase in the overall tax base. Approximately 115,000 cubic yards of fill will be used. To compensate for the unavoidable impact to wetlands, the applicant proposes on-site enhancement of 1.55 acres of beaver pond and 0.5 acre adjacent to a

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stormwater pond, and preserve the remaining 6.9 acres of wetlands. In addition, the applicant proposes placing a conservation easement on nearly all upland between the east side of the sewer easement and Patton Creek. The applicant wishes to hold the excess mitigation credits in reserve for future projects in the area. All work will be accomplished in accordance with the enclosed drawings provided by the applicant.

The applicant has applied for certification from the State of Alabama in accordance with Section 401(a)(1) of the Clean Water Act, and upon completion of the required advertising, a determination relative to certification will be made.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the U.S. Army Corps of Engineers (Corps) can be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production, and in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in

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the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state with particularity, the reasons for holding a public hearing.

Evaluation of the probable impacts involving deposits of dredged or fill material into waters of the United States will include the application of guidelines established by the Administrator of the U.S. Environmental Protection Agency.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known to exist which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the U.S. Department of the Interior, National Park Service, Division of Archeological Services.

Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicates that the proposed activity will not affect listed endangered or threatened species, or their critical habitat.

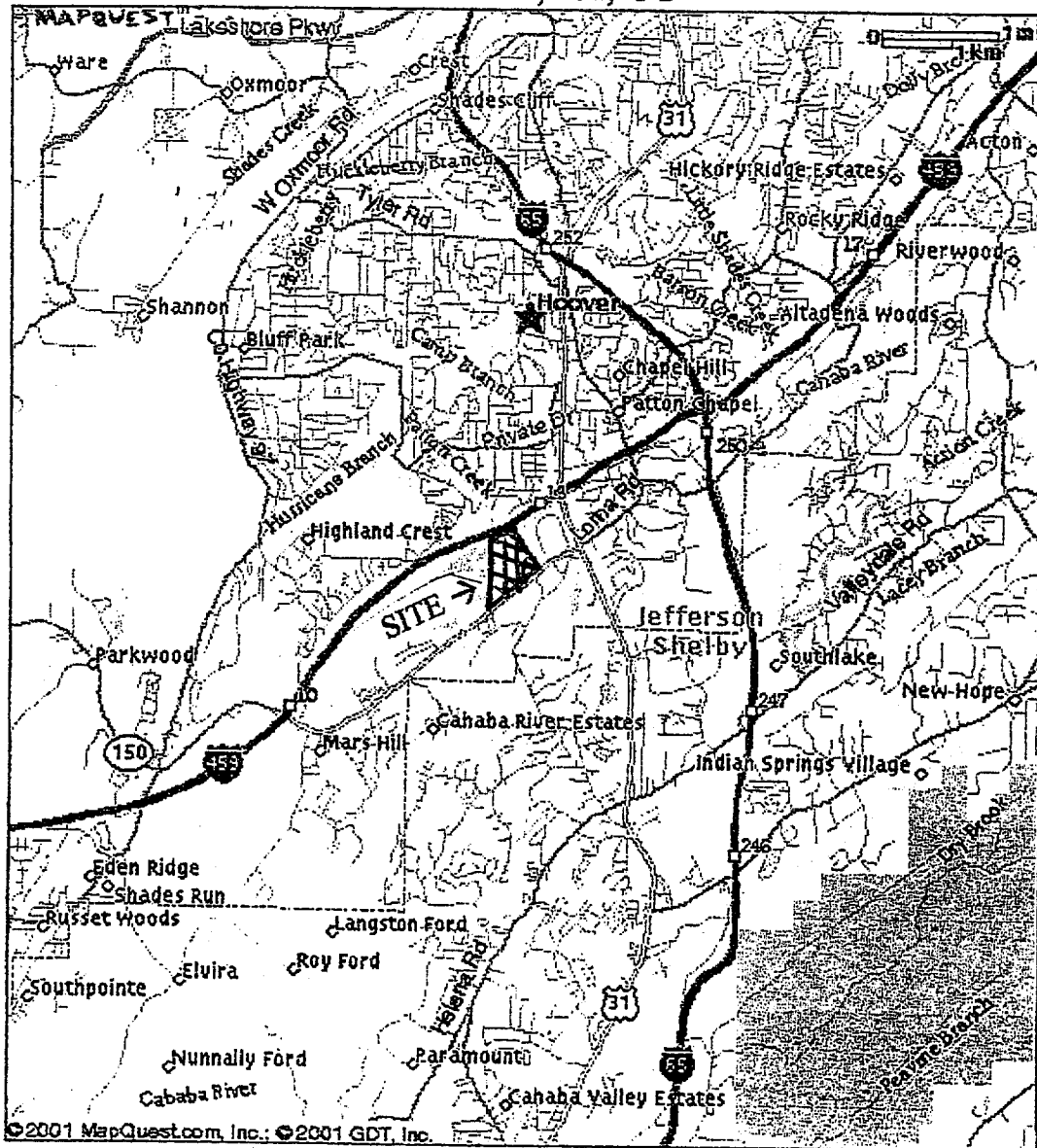
Correspondence concerning this Public Notice should refer to Public Notice Number AL01-02982-H and should be directed to the District Engineer, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Regulatory Branch, with a copy to the Alabama Department of Environmental Management, 4171 Commanders Drive, Mobile, Alabama 36615, (If not in coastal zone: Post Office Box 301463, Montgomery, Alabama 36130-1463) in time to be received prior to 15 October 2001.

If you have any questions concerning this publication, you may contact this office, **Munther N. Sahawneh**, telephone number (251) 690-3246. Please refer to the above Public Notice number.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures

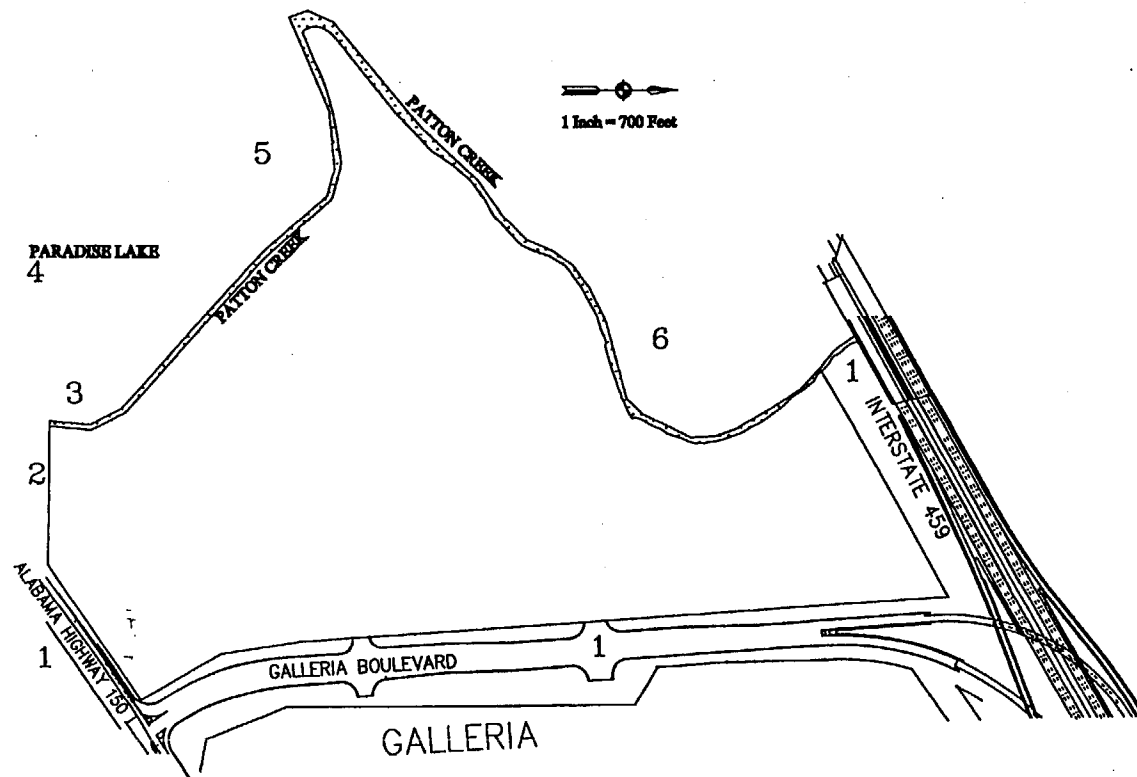
HOOVER, AL, US



Directions

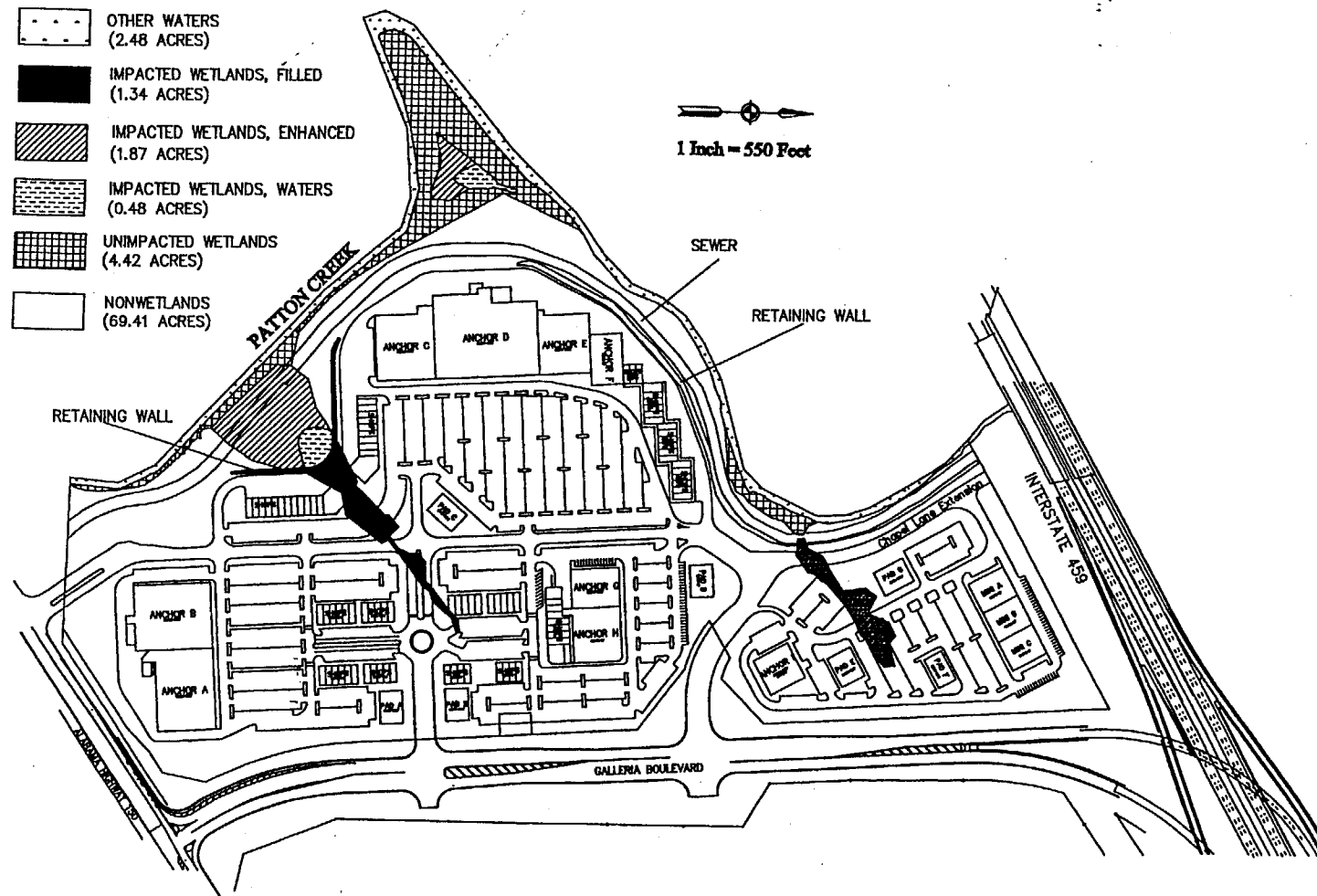
From the intersection of Interstate 459 and U. S. Highway 31 (Figure 1), proceed south to its intersection with Alabama Highway 150. Proceed west to the Alabama Highway 150 entrance into the Galleria. Turn right and follow the street to the Home Depot store.

FIGURE 2. AIG BAKER HOOVER PROPERTY, HOOVER, AL



PREPARED BY: D. R. SANDERS AND ASSOCIATES, INC.
AUGUST 24, 2001

FIGURE 3. PLAN VIEW OF AIG BAKER PROPERTY IN HOOVER, ALABAMA



PREPARED BY: D. R. SANDERS AND ASSOCIATES, INC .
AUGUST 24, 2001

**WATER QUALITY
RETENTION AREAS**

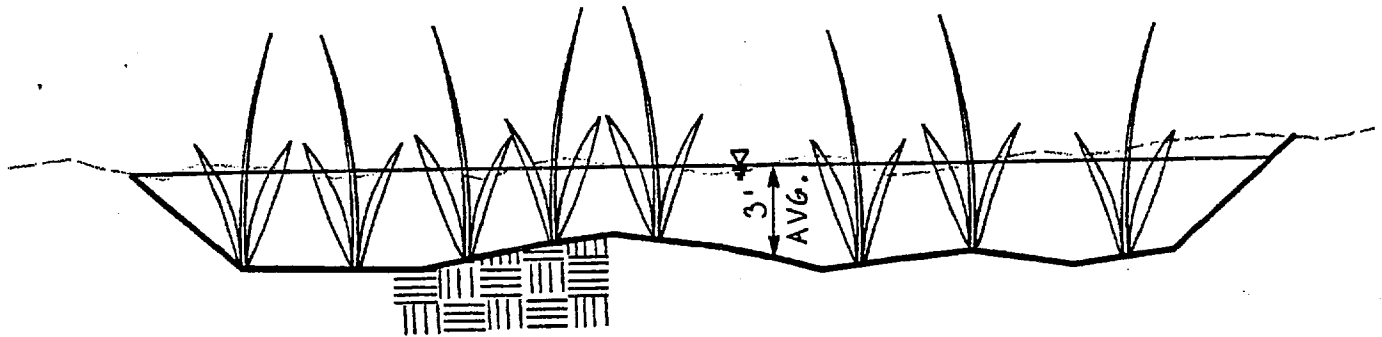
**WATER QUALITY AREA
IN EXISTING OPEN SPACE.**

GRASS SWALES

GALLERIA BOULEVARD

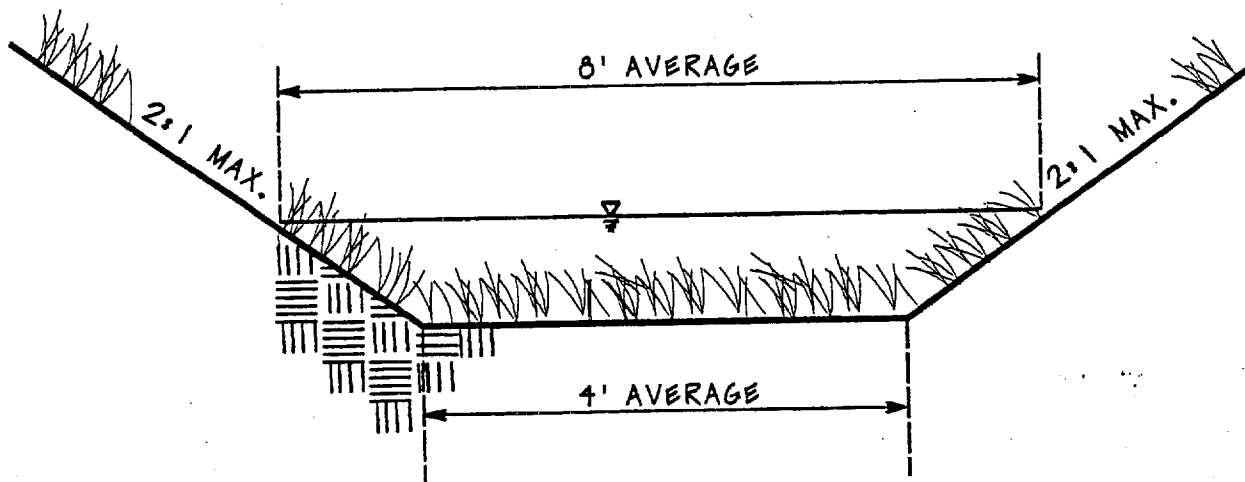
**WATER QUALITY PLAN
FOR DEVELOPED SITE**





NOTE: AVERAGE WATER DEPTH IN POND SHALL BE 3 FEET.

TYPICAL POND SECTION



GRASS SWALE - TYPICAL SECTION

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, MOBILE
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001
OFFICIAL BUSINESS

FIRST-CLASS MAIL
U.S. POSTAGE
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